

Doc. # 3020

MEMORANDUM

MARCH 10, 1988

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: LINDA BOURQUE, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
GAY FORBES, DEPUTY DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Recommendations on thirty-eight zoning partitions have been prepared by Authority staff for transmittal to the Board of Appeal.

<u>Neighborhoods</u>	<u>Approval</u>	<u>Recommendations</u>		<u>Deferral</u>
		<u>Denial</u>	<u>Denial w/o Prejudice</u>	
Allston-Brighton	2		1	
Back Bay				
Beacon Hill				
Charlestown	1	1		
Chinatown				
City Proper	2			
Dorchester	3	1		
East Boston				1
Fenway				1
Government Center				
Hyde Park	1			
Jamaica Plain	2	1		1
Kenmore		1		
Mattapan			2	
North End	1	1		
Roslindale	3			
Roxbury	2			2
South Boston	1			2
South Cove				
South End	2			2
West Roxbury		1		

NPZ004.BOA

Allston-Brighton

- Approval Z-11069-11070. 114 Glenville Avenue and 10 Long Avenue, legalize two apartments.
- Denial w/o Prejudice Z-11179. 87-89 Nottinghill Road, two-family dwelling.
- Approval Z-11267. 98-100 Kenrick Street, porch addition.

Charlestown

- Denial Z-11250. 275 Main Street, one story and mezzanine additions.
- Approval Z-11264. 30-50 Terminal Street, storage, office space, light manufacturing.

City Proper

- Approval Z-11275. 158-168 Kneeland Street, addition to office building.
- Approval Z-11255. 295-299 Cambridge Street, postal and business communications store.

Dorchester

- Approval Z-11268. 761-765 Dudley Street, four apartments, lounge, storage.
- Denial Z-11269. 23-25 Rosaria Street, two to three family dwelling.
- Approval Z-11278. 36-40 Norfolk Street, take-out restaurant.
- Approval Z-11315. 40 Enterprise Street, addition to apprentice school.

East Boston

- Deferral Z-11061-11065. 297-307 Havre Street, legalize four-family dwelling.

Fenway

- Deferral Z-11266. 15 Vancouver Street, seventeen apartments.

Hyde Park

Approval Z-11271-11272. 25 & 31 Bradlee Street, transfer
1198 square feet of land.

Jamaica Plain

Approval Z-10807. 292 Armory Street, porch enclosure.

Denial Z-10801-10802. 82-84 Hyde Park Avenue,
subdivide.

Approval Z-11283. 73 Brookley Road, porch reconstruction; enclosure.
Denial

Deferral Z-10794. 101 Brookley Road, fifty-four apartments.

Kenmore

Denial Z-11280. 907 Beacon Street, office.

Mattapan

Denial w/o Z-10828. 2-4 Lena Terrace, two-family dwelling.
Prejudice

Denial w/o Z-11288. 26 Deering Road, two-family dwelling.
Prejudice

North End

Approval Z-11265. 37A-37 Fleet Street, three to four
apartments.

Denial Z-11293. 187-189 North Street, legalize penthouse.

Roslindale

Approval Z-10647. 129 Cornell Street, rear addition.

Approval Z-11285. 25 Johnswood Road, retaining wall.

Approval Z-11292. 107 Montclair Avenue, shed dormer
additions.

Roxbury

Approval Z-11045. 52-54 Mt. Pleasant Avenue, four to five
apartments.

Approval Z-11188. 1568 Tremont Street, two-family dwelling and office.

Deferral Z-11263. 16 Pontiac Street, parking lot.

Deferral Z-11107-11108. 66 & 70 St. James Street, 22 apartments.

South Boston

Approval Z-11289. 229 West Third Street, two-family dwelling.

Deferral Z-11291. 116-118H Dorchester Street, six apartments, offices, beauty parlor.

Deferral Z-11185. 391 Congress Street, parking lot - 54 cars.

South End

Approval Z-11273. 90 Appleton Street, one to two-family dwelling.

Approval Z-11126. 439-441 Tremont Street, office building parking.

Deferral Z-11284. 146 Warren Avenue, four to five apartments.

Deferral Z-10889. 275 Northampton Street, fifty-six apartments.

West Roxbury

Denial Z-11260. 3 Hackensack Circle, rear addition.

BOARD OF APPEAL REFERRALS

MARCH 10, 1988

Hearing

1. Z-10647 3/22/88 Walter P. Greene
129 Cornell Street, Roslindale
2. Z-10794 3/10/88 Charles J. O'Malley
101 Brookley Road, Jamaica Plain
3. Z-10801-10802 3/15/88 E. Lindy, S. Gouveia, and P. Herrlich
82-84 Hyde Park Avenue, Jamaica Plain
4. Z-10807 3/22/88 Anthony Perry
292 Amory Street, Jamaica Plain
5. Z-10828 3/22/88 Ricardo P. & Virginia D. Thompson
2-4 Lena Terrace, Mattapan
6. Z-10889 3/29/88 Peter Conant *amended to approval*
275 Northampton Street, Boston
7. Z-11045 3/22/88 Lessie Spann
52-54 Mt. Pleasant Avenue, Roxbury
8. Z-11061-11065 3/15/88 Nicholas J. Moscaritolo
297-307 Havre Street, East Boston
9. Z-11069-11070 3/22/88 Public Investment Real Estate, Inc.
114 Glenville Avenue & 10 Long Avenue
Allston
10. Z-11126 3/15/88 Institute Development Association
439-441 Tremont Street, Boston
11. Z-11179 3/15/88 Patrick & John McDevitt
87-89 Nottinghill Road, Brighton
12. Z-11185 3/29/88 Nicholas Contos
391 Congress Street, South Boston
13. Z-11188 3/22/88 Elaine D. Thompson
1568 Tremont Street, Roxbury
14. Z-11250 3/15/88 Vahid Nickpour *amended to approval*
275 Main Street, Charlestown
15. Z-11255 3/15/88 Elias & Constantina, Inc.
295-299 Cambridge Street, Boston
16. Z-11260 3/15/88 Robert Tildsley
3 Hackensack Circle, West Roxbury

BOARD OF APPEAL REFERRALS

MARCH 10, 1988

		<u>Hearing</u>	
17.	Z-11263	3/15/88	Society of Redemptorist Fathers 16 Pontiac Street, Roxbury
18.	Z-11264	3/15/88	McNeil & Associates 30-50 Terminal Street, Charlestown
19.	Z-11265	3/15/88	Jerold Gnazzo 37A-37 Fleet Street, Boston
20.	Z-11266	3/15/88	Lucy Broome 15 Vancouver Street, Boston
21.	Z-11267	3/15/88	Nick Darides 98-100 Kenrick Street, Brighton
22.	Z-11268	3/15/88	Luis Rodriguez 761-765 Dudley Street, Dorchester
23.	Z-11269	3/15/88	Harvey Linder 23-25 Rosaria Street, Dorchester
24.	Z-11271-11272	3/15/88	Leone Barletta & Anthony Silveri 31 Bradlee Street, Hyde Park
25.	Z-11273	3/15/88	David Dixon 90 Appleton Street, Boston
26.	Z-11275	3/15/88	South & Kneeland Association 158-168 Kneeland Street, Boston
27.	Z-11278	3/15/88	Hopa V. Knight 36-40 Norfolk Street, Dorchester
28.	Z-11280	3/22/88	Thomas S. Fassas 907 Beacon Street, Boston
29.	Z-11283	3/22/88	Ida & Leo Munafo 73 Brookley Road, Jamaica Plain
30.	Z-11284	3/22/88	John Rosenburg 146 Warren Avenue, Boston
31.	Z-11285	3/22/88	Paul Lalinde 25 Johnson Road, Roslindale
32.	Z-11288	3/22/88	Juan & Isabel Cruz 26 Deering Road, Mattapan
33.	Z-11289	3/22/88	Mark J. Scarlett 229 West Third Street, South Boston

BOARD OF APPEAL REFERRALS

MARCH 10, 1988

Hearing

- | | | | |
|-------|----------------------------|---------|--|
| 34. | Z-11291 | 3/22/88 | Alexander Lempicki
116-118H Dorchester Street, South Boston |
| 35. | Z-11292 | 3/22/88 | Thomas Golden
107 Montclair Avenue, Roslindale |
| 36. | Z-11293 | 3/22/88 | 187-189 North Street Realty Trust
187-189 North Street, Boston |
| 37. | Z-11315 | 3/15/88 | Pipefitters Association, Inc.
40 Enterprise Street, Dorchester |
| <hr/> | | | |
| 38. | Z-11103 &
Z-11107-11108 | 3/29/88 | St. James Estates Development Corporation
66-70 St. James Street, Roxbury |

*amended to
approval*

Board of Appeal Referrals

3/10/88

Hearing: 3/22/88

Z-10647
Walter R. Greene
129 Cornell Street
Roslindale

Site: 1½-Story structure

District(s): Residential, two-family (R-.5)

Purpose: Erect one-story rear addition to one-family dwelling.

Violation(s): Insufficient side yard.

VOTED: In reference to petition Z-10647, Walter R. Greene, 129 Cornell Street, Roslindale, for variance to erect one-story addition to one-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval to ensure compatibility of addition with existing structure in terms of materials and facade treatment and deck with existing and surrounding structures. Side yard deficiency of 1.7 feet will not be increased.

Z-10647 129 CORNELL ST. ROSLINDALE

Hearing: 3/10/88

Z-10794
Charles J. O'Malley
101 Brookley Road
Jamaica Plain

Site: One-story structure

District(s): Residential, three-family (R-.8)

Purpose: Change occupancy from nursing home to 54-unit apartment structure; erect second-story addition.

Violation(s): Insufficient front yard.

VOTED: In reference to petition Z-10794, Charles J. O'Malley, 101 Brookley Road, Jamaica Plain, for variance for change of occupancy from nursing home to 54-unit apartment structure and erect second-story addition in a residential (R-.8) district, the Boston Redevelopment Authority recommends deferral. This appeal is similar to another appeal (Z-9101) previously heard by the Board of Appeal in 1987 and denied without prejudice. The proposal has changed from 64 units to 54 units and the parking has decreased from nearly 1:1 to 14 spaces for 54 units or 1:4. The project requires a Transportation Access Plan which it does not have at this time--and there is insufficient parking proposed. There has been no community meeting with respect to this petition and it has not been presented to the Neighborhood Council. Building program, interior layout, and exterior design needs to be redefined.



Z-10794 101 BROOKLEY RD JAMAICA PLAIN

Board of Appeal Referrals

3/10/88

Hearings: 3/15/88

3
Z-10801-10802
E. Lindy, S. Gouveia &
P. Herrlich
82-84 Hyde Park Avenue
Jamaica Plain

Site: Three story duplex structure

Districts(s): Residential, three-family (R-8)

Purpose: Sub-divide into two three-family dwellings

Violation(s): Insufficient lot area, width, frontage, open space,
and side yard.

VOTED:

In reference to petitions Z-1081-10802, E. Lindy, S. Gouveia and P. Herrlich, 82-84 Hyde Park Avenue, Jamaica Plain, for ten variances to subdivide into two three family dwellings in residential (R-.8) district, the Boston Redevelopment Authority recommends denial. In 1986 Authority recommended denial of a similar appeal which was subsequently denied by the Board of Appeal. Authority recommended deferral of this current appeal in December 1987 based upon the request of both opposing tenants and owners who were seeking to negotiate an agreement. An acceptable agreement has not been reached. The Authority, therefore, maintains its previous position that no hardship exists on this property and that variances are unwarranted. Subdivision would eliminate Rent Equity tenant regulatory protections now in place. Subdivision would create legal substandard lots and would create unwanted precedent for Jamaica Plain and other neighborhoods. Members of the community are opposed.

Z-10801-10802

82-84 HYDE PARK AVENUE JAMAICA PLAIN



Z-10801-10802

82-84 HYDE PARK AVE

JAMAICA PLAIN

Board of Appeal Referrals

3/10/88

Hearing: 3/22/88

Z-10807
Anthony Perry
292 Amory Street
Jamaica Plain

Site: 2½-Story structure

District(s): Manufacturing (M-2)

Purpose: Change occupancy from two-car garage to two-family dwelling and enclose porch.

Violation(s): Two-family dwelling is forbidden use.

Insufficient rear yard.

VOTED: In reference to petition Z-10807, Anthony Perry, 292 Amory Street, Jamaica Plain, for forbidden use and variance for change of occupancy from two-car garage to two-family dwelling and enclose porch in a manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. Structure is two-family dwelling and has been for many years. Occupancy last listed in 1926. Enclosure of rear porch will not impact abutting commercial structure. Predominantly residential street.



Z-10807 292 AMORY ST. JAMACIA PLAIN

Board of Appeal Referrals

3/10/88

Hearing: 3/22/88 Z-10828
Virginia D. & Ricardo P. Thompson
2-4 Lena Terrace
Mattapan

Site: 4,151 Square feet of land

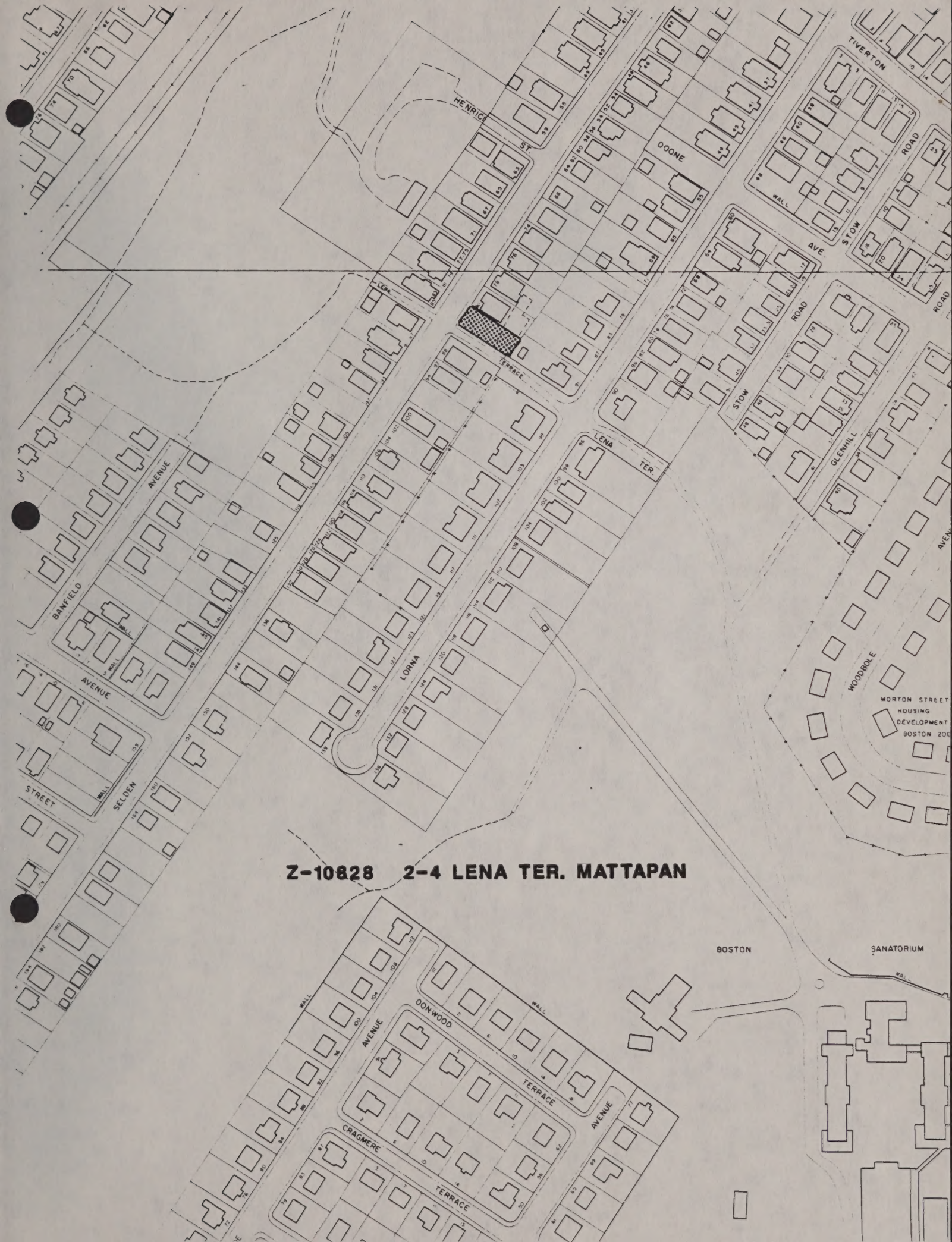
District(s): Residential, two-family (R-.5)

Purpose: Erect two-family dwelling.

Violation(s): Off-street parking not allowed within front yard
nor within five feet of side lot line.

Insufficient lot area, front, and rear yards.

VOTED: In reference to petition Z-10828, Virginia D. & Ricardo P. Thompson, 2-4 Lena Terrace, Mattapan, for four variances to erect two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial without prejudice. Use and occupancy are appropriate, but the current design is not. Plans should be redesigned with particular emphasis on appropriate parking arrangement and architectural compatibility with surrounding homes.



Z-10828 2-4 LENA TER. MATTAPAN

Amended 6

Board of Appeal Referrals - 3/10/88

Hearing

3/29/88

Z-10889

Urban Design Team, Inc.
275 Northampton Street
Boston, MA

Site: One-story concrete structure and vacant land

District(s): Retail Business and Offices B-2

Purpose: Erect fifty-six (56) unit apartment structure
with 74 parking spaces.

Violation(s): Off-street parking is not allowed within the front yard nor
within five feet of side lot line.
Excessive floor area.
Insufficient open space, front yard, and off-street
parking facilities.

Interim Planning Overlay District.

VOTED:

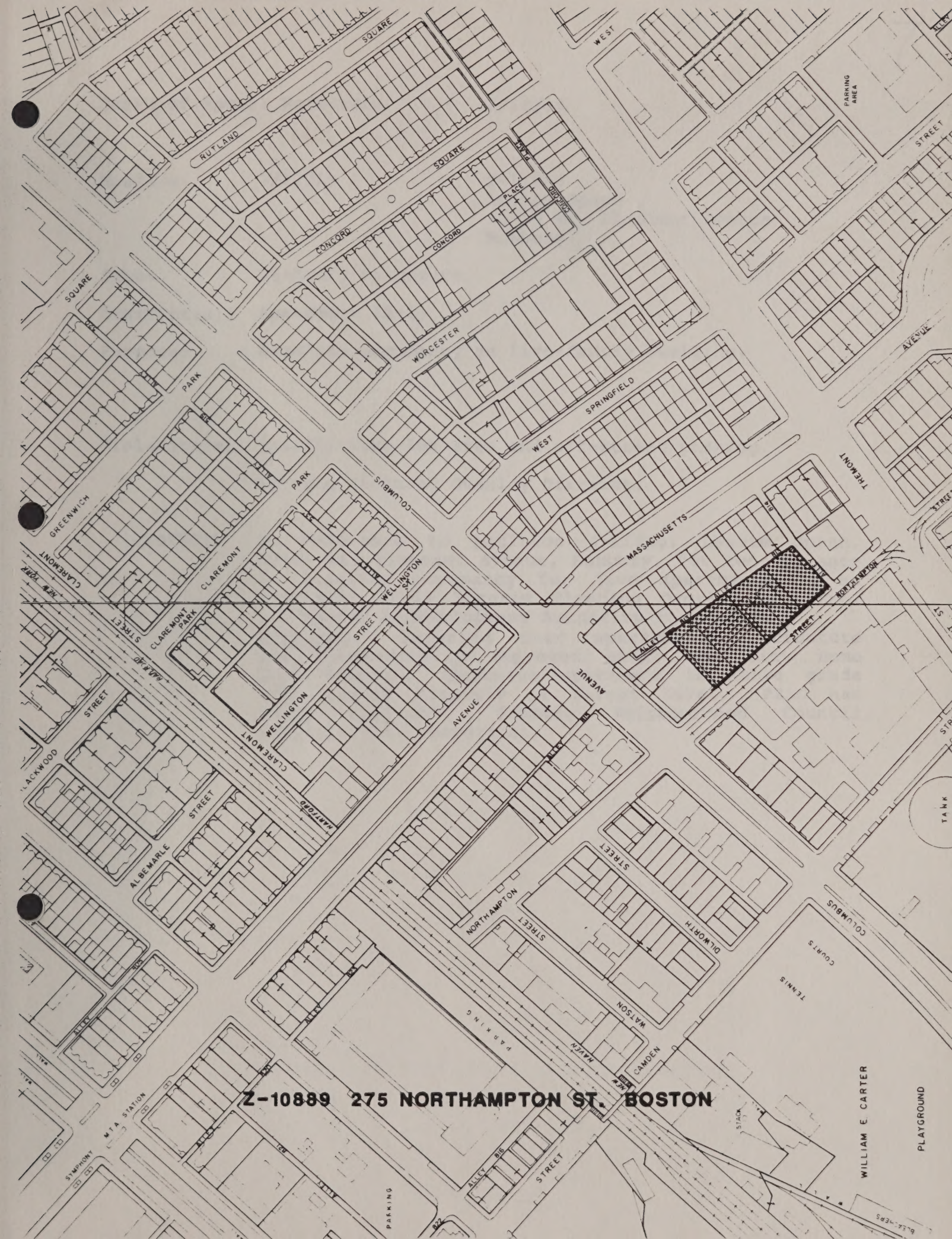
In reference to Petition Z-10889 Urban Design Team
Inc., 275 Northampton Street, Boston for five
zoning variances in an B-2 business district, the
Boston Redevelopment Authority recommends deferral.

Approval

In order for the requirements of Article 27 to be
satisfied, on January 5, 1988, the developer made
a formal presentation to the members of the Roxbury
Planning and Zoning Advisory Committee (PZAC) which
was formed under the Roxbury Neighborhood Council (RNC).
On January 12, 1988 the RNC made a recommendation of
deferral. Though they did not object to the variances,
they decided that they could not make a decision on the
petition until an overall development plan for Roxbury
has been approved by the community.

In an effort to obtain community support for the
development, the Urban Design Team, Inc., also made
presentations to the following groups: Claremont
Neighborhood Association, Chester Park Neighborhood
Association, United Neighbors of Lower Roxbury, South
End Historical Society and Worcester Square Neighborhood
Association. Furthermore, the abutters, Ell-bern
Service Corporation and Columbus Avenue A.M.E. Zion
Church, both support the development of 275 North-
hampton Street.

It appears that the community has no opposition
to this project.



Z-10889 275 NORTHAMPTON ST. BOSTON

WILLIAM E CARTER

PLAYGROUND

Board of Appeal Referrals

3/10/88

Hearing: 3/22/88 Z-11045
Lessie Spann
52-54 Mt. Pleasant Avenue
Roxbury

Site: 2½-Story structure

District(s): Apartment (H-1)

Purpose: Legalize occupancy as five-family dwelling.

Violation(s): Insufficient lot area and off-street parking.

Interim Planning Overlay District.

VOTED: In reference to petition Z-11045, Lessie Spann, 52-54 Mt. Pleasant Avenue, Roxbury, for two variance to legalize occupancy for five apartments in an apartment (H-1) Interim Planning Overlay District, the Boston Redevelopment Authority recommends approval. Existing four apartments. Structure has substantially improved under the City Home Loan Program. Basement apartment is above grade with egress directly at street level. PZAC has voted approval. Roxbury Neighborhood Council supports this conversion.



Z-11045 52-54 MT. PLEASANT ST. ROXBURY

Board of Appeal Referrals

3/10/88

Hearing: 3/15/88 Z-11061-11065
Nicholas J. Moscaritolo
297-307 Havre Street
East Boston

Site: Two-story structure

District(s): Apartment (H-1) and Local business (L-1)

Purpose: Combine lots; legalize occupancy as four-family dwelling and cafe; erect two-story addition, and to use premises for accessory parking lot.

Violation(s): Insufficient lot area, open space, rear yard, and off-street parking.

VOTED: In reference to petitions Z-11061-11065, Nicholas J. Moscaritolo, 297-307 Havre Street, East Boston, for nine variances to combine lots, legalize occupancy for four-family dwelling and cafe, erect two-story addition, and use premises for accessory parking lot in an apartment (H-1) and local business (L-1) districts, the Boston Redevelopment Authority recommends deferral. This area of East Boston is very congested. Inadequate parking for residents and customers of local businesses has become a clear indicator of the severe density problems facing this neighborhood. Increasing the occupancy of the existing restaurant from approximately 82 persons to 110 persons and expanding the number of residential units from the existing one unit to four, as proposed, represents a dramatic impact for the area. Although the applicant has made one presentation to the East Boston PZAC, the PZAC voted to defer the proposal until more information and an alternative proposal is presented to the committee at another public meeting to be scheduled. Therefore, the Authority is recommending deferral to afford the community adequate time to review the proposal.



Z-11001-65 297-307 HAVRE ST. EAST BOSTON

Board of Appeal Referrals

3/10/88

Hearing: 3/22/88 Z-11069-11070
Phyllis Landers
114 Glenville Avenue and 10 Long Avenue
Allston

Site: Four-story structures

District(s): Apartment (H-2)

Purpose: Change occupancy from 16 to 17 and from 21 to 22
apartment structures.

Violation(s): Insufficient open space.

Interim Planning Overlay District.

VOTED: In reference to petitions Z-11069-11070, Phyllis Landers, 114 Glenville Avenue and 10 Long Avenue, Allston, for two variances for change of occupancy from 16 to 17 and from 21 to 22 apartment structures in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval with proviso that basement apartments comply with Inspectional Services Department guidelines for such units. Existing conditions at time of purchase in 1986 and previously for many years. Existing tenants in occupancy for several years. Planning and Zoning Advisory Committee is opposed.

Z-11069-70 114 GLENVILLE/ 10 LONG AVENUES ALLSTON

Board of Appeal Referrals

3/10/88

Hearing: 3/15/88

Z-11126
Institute Development Association
439-441 Tremont Street
Boston

Site: Four-story structure

District(s): General business (B-4)

Purpose: Provide 23 parking spaces in basement and first-floor of office-retail structure.

Violation(s): Restricted parking district.

VOTED: In reference to petition Z-11126, Institute Development Association, 439-441 Tremont Street, Boston, for conditional use to provide 23 parking spaces in basement and first-floor of office-retail structure in a general business (B-4) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. Proposal includes conversion of structure from present classroom use to office building. Nine of the proposed parking spaces will be reserved for nearby South End residents. Ellis Neighborhood Association has indicated support.



Z-11126 439-441 TREMONT ST. BOSTON

Hearing: 3/15/88 Z-11179
John and Patricia McDevitt
87-89 Nottingham Road
Brighton

Site: 8,043 Square feet of land

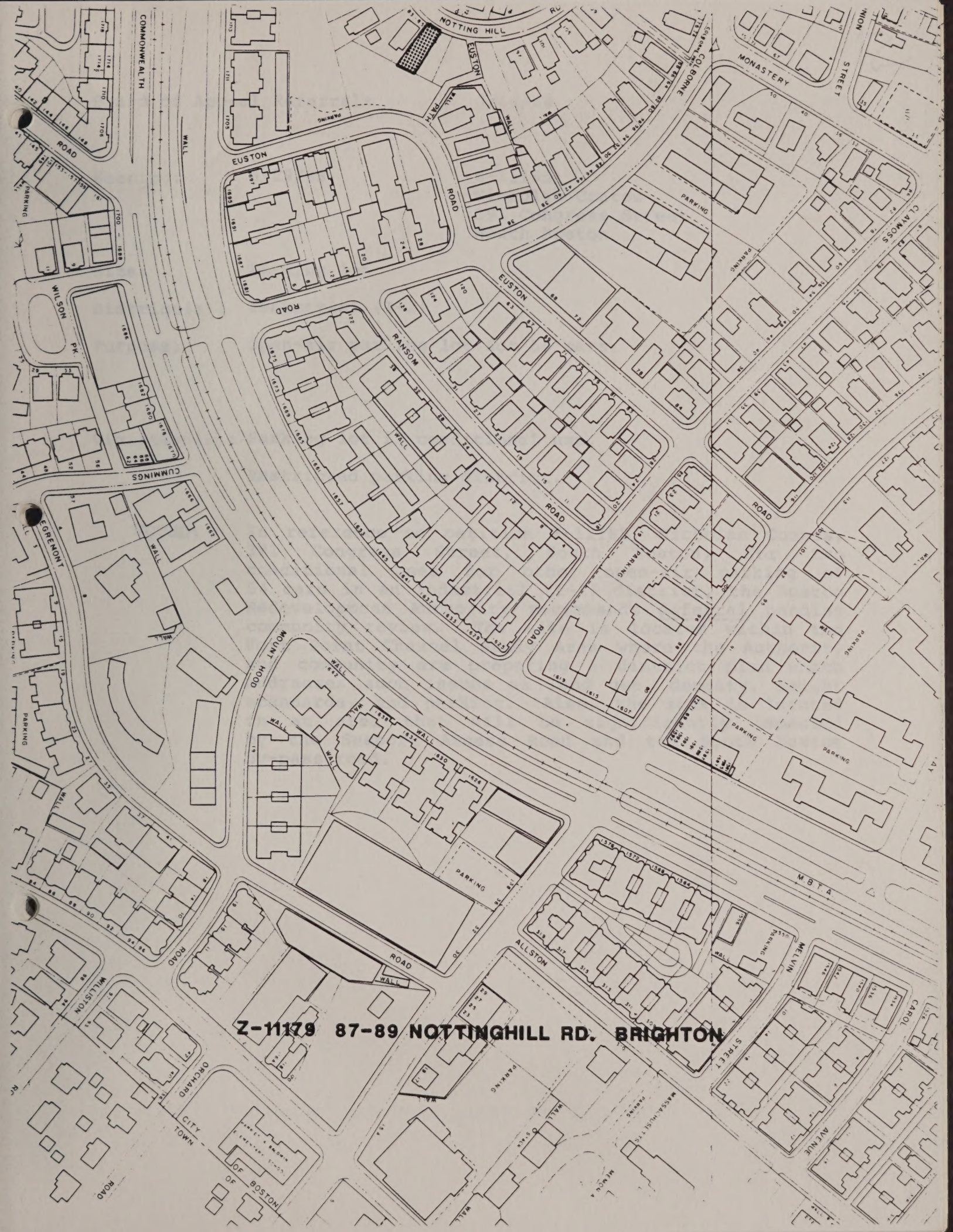
District(s): Residential, two-family (R-.5)

Purpose: Erect two-family dwelling.

Violation(s): Off-street parking not allowed in front yard nor
within five feet of side lot line.

Insufficient lot area and rear yard.

VOTED: In reference to petition Z-11179, John and Patricia McDevitt, 87-89 Nottingham Road, Brighton, for three variances to erect a two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial without prejudice. Concerns are parking, site, layout, and substantial environmental impacts including impact on adjacent City urban wilds site. Washington Heights Neighborhood group has not adequately reviewed development.



Z-11179 87-89 NOTTINGHILL RD. BRIGHTON

Board of Appeal Referrals

3/10/88

Hearing: 3/29/88

Z-11185
Nicholas Contos
391 Congress Street
South Boston

Site: Parking lot

District(s): Industrial (I-2)

Purpose: Open-air parking lot for 54 cars.

Violation(s): Parking lot is conditional use.

Restricted parking district.

VOTED: In reference to petition Z-11185, Nicholas Contos, 391 Congress Street, South Boston, for two conditional uses for other open-air parking of 54 cars in an industrial (I-2) district, the Boston Redevelopment Authority recommends deferral pending community review. The site is located within the Fort Point Channel Study Area where the Authority and community are preparing a district plan which addresses such issues as land use, density, height standards, and parking. Also, the site is located in an area that will be significantly impacted by the Seaport Access Road and the South Boston by-pass road.

Z-11185 391 CONGRESS ST. BOSTON

Board of Appeal Referrals

3/10/88

Hearing: 3/22/88

Z-11188
Elaine D. Thompson
1568 Tremont Street
Roxbury

Site:

District(s): Local business (L-1)

Purpose: Change occupancy from three-family dwelling and office to two-family dwelling and office.

Violation(s): Excessive floor area ratio.

In reference to petition Z-11188, Elaine D. Thompson, 1568 Tremont Street, Roxbury, for variance for change of occupancy from three-family dwelling and office to two-family dwelling and office in a local business (L-1) district, the Boston Redevelopment Authority recommends approval with proviso that basement not be used for office space.



Z-11188 1568 TREMONT ST. ROXBURY

Board of Appeal Referrals

3/10/88

amended
6
approval

14

Hearing: 3/15/88

Z-11250
Vahid Nickpour
275 Main Street
Charlestown

Site: One-story structure

District(s): Local business (L-1)

Purpose: Erect one-story and mezzanine addition to real estate agency office.

Violation(s): Excessive floor area ratio.

VOTED: In reference to petition Z-11250, Vahid Nickpour, 275 Main Street, Charlestown, for variance to erect one-story and mezzanine addition to real estate agency office in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Proposed second-story and mezzanine level additions will unnecessarily restrict the light and air to abutters by blocking windows on north side of the building.

approval



Z-11250 275 MAIN ST. CHARLESTOWN

FREDERICK D. EMMONS
PLAYGROUND

Board of Appeal Referrals

3/10/88

Hearing: 3/15/88

Z-11255
Ellias & Constantina, Inc.
295-299 Cambridge Street
Boston

Site: Five-story structure

District(s): Apartment (H-4)

Purpose: Change occupancy from eight apartments and bank to eight apartments and postal and business communications store.

Violation(s): Change in nonconforming use.

VOTED: In reference to petition Z-11255, Ellias & Constantina, Inc., 295-299 Cambridge Street, Boston, for change in nonconforming use for change of occupancy from eight apartments and bank to eight apartments and postal and communications store in a an apartment (H-4) district, the Boston Redevelopment Authority recommends approval. The proposed use is consistent with the current ground-floor uses along Cambridge Street. Although the present zoning for the area is residential, all ground-floor uses along the west end of Cambridge Street are commercial.



Z-11255 295-299 CAMBRIDGE ST. BOSTON

Hearing: 3/15/88 Z-11260
Henry Leventhal
3 Hackensack Circle
West Roxbury

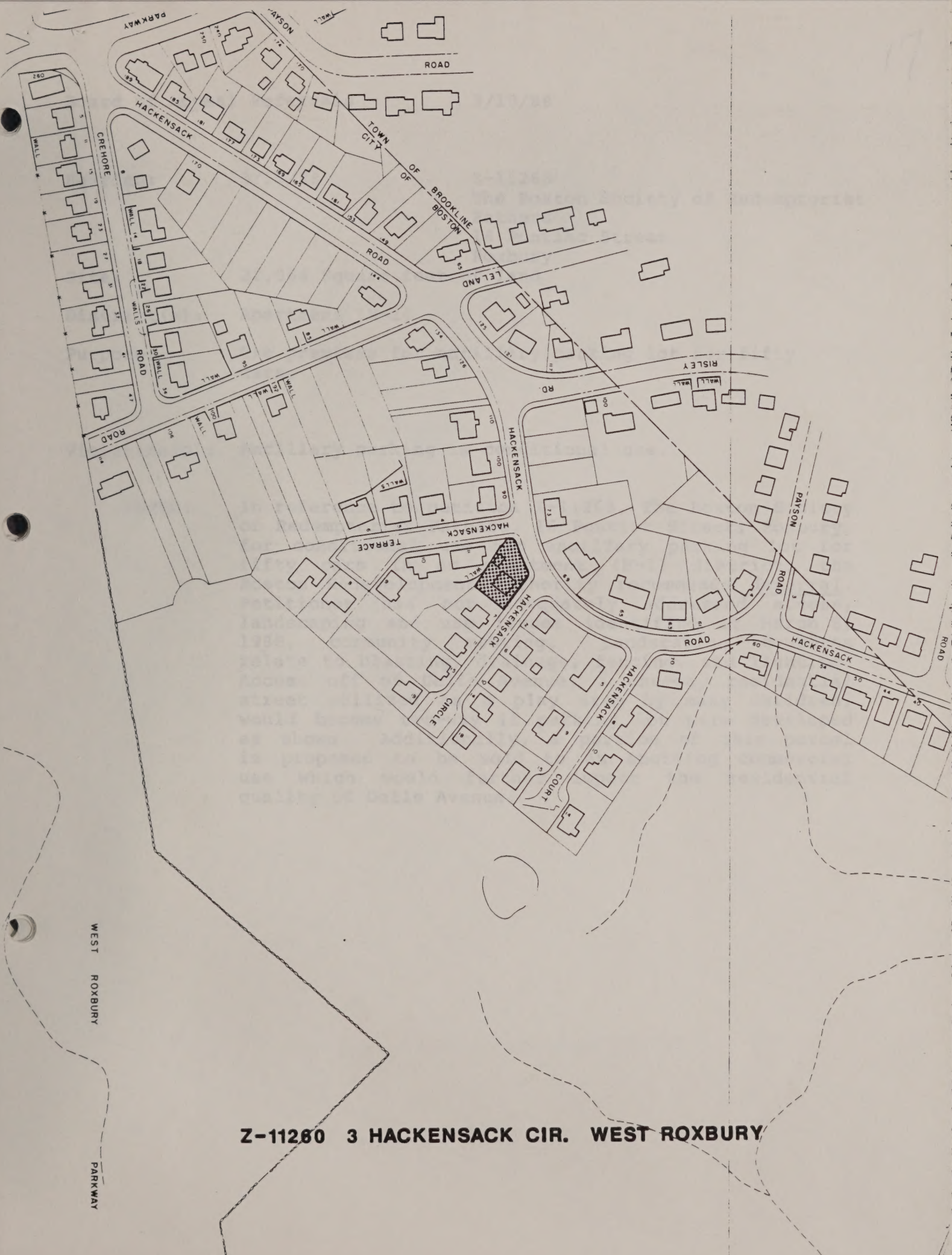
Site: 1½-Story structure

District(s): Single-family (S-.3)

Purpose: Erect two-story rear addition to one-family dwelling.

Violation(s): Insufficient rear yard.

VOTED: In reference to petition Z-11260, Henry Leventhal, 3 Hackensack Circle, West Roxbury, for variance to erect two-story rear addition to one-family dwelling in a single-family (S-.3) district, the Boston Redevelopment Authority recommends denial. This site is located at the corner of Hackensack Road and Hackensack Circle. The area has a hilly topography and the lot slopes down on the right lot line and in the rear yard. The proposed addition will reduce the rear yard dimension to ten feet, bringing the lot to a 75 percent deficiency, a considerable amount particularly in this dense neighborhood where rear yards are generally in conformance. The site is separated in the rear from its abutter by a stone retaining wall due to the slope of the land. The new addition will come precariously close to this wall and may present drainage and structural problems for both lots in the future. There exists on the lot a garage that faces Hackensack Road as well as a 10' x 12' exposed deck on the left side of the house. The addition which almost doubles the square footage of the existing structure, will take what is left of a very small lot. Elevations show that the addition is in no way architecturally compatible with the existing structure nor is the addition at all sensitive to the constraints of the topography. The floor area is excessive given topographical and dimensional constraints of the site. One abutter has expressed severe disapproval of the project.



Z-11280 3 HACKENSACK CIR. WEST ROXBURY

Board of Appeal Referrals

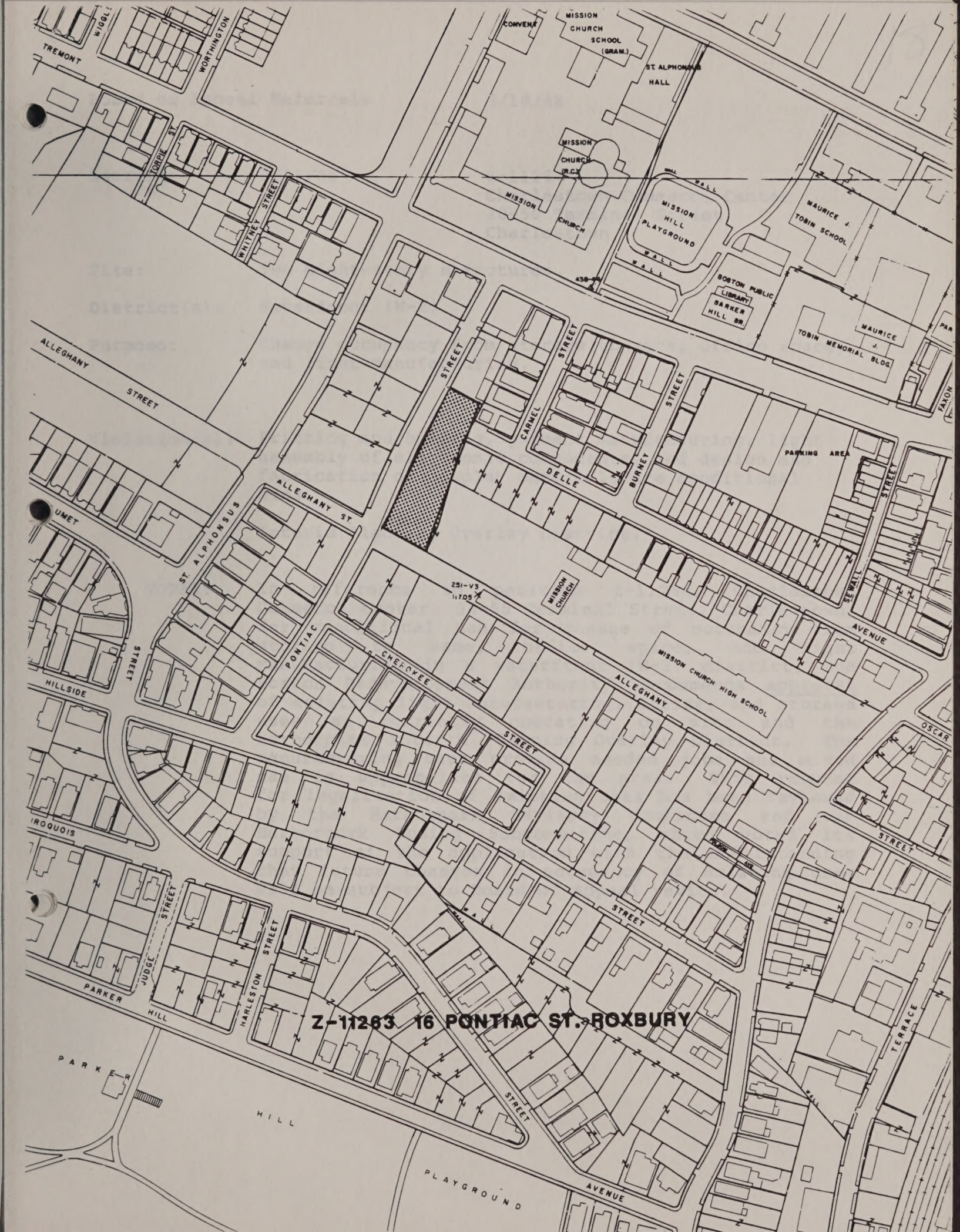
3/10/88

17

Hearing: 3/15/88 Z-11263
The Boston Society of Redemptorist
Fathers
16 Pontiac Street
Roxbury
Site: 22,064 Square feet of land
District(s): Apartment (H-1)
Purpose: Use premises for ancillary parking lot for fifty
cars.

Violation(s): Ancillary parking is conditional use.

VOTED: In reference to petition Z-11263, The Boston Society of Redemptorist Fathers, 16 Pontiac Street, Roxbury, for conditional use for ancillary parking lot for fifty cars in an apartment (H-1) district, the Boston Redevelopment Authority recommends deferral. Petitioner has not adequately addressed access, landscaping and use issues identified at March 8, 1988, community meeting. Landscaping concerns relate to blasting, drainage, fencing, and lighting. Access off of Delle Avenue, a one-way residential street utilized as a play area by many children, would become two-way if parking lot were developed as shown. Additionally, a portion of this parcel is proposed to be sold to an abutting commercial use which would further impact the residential quality of Delle Avenue.



Z-11263 16 PONTIAC ST. ROXBURY

Hearing: 3/15/88 Z-11264
Charlestown Commerce Center
30-50 Terminal Street
Charlestown

Site: Two eight-story structures

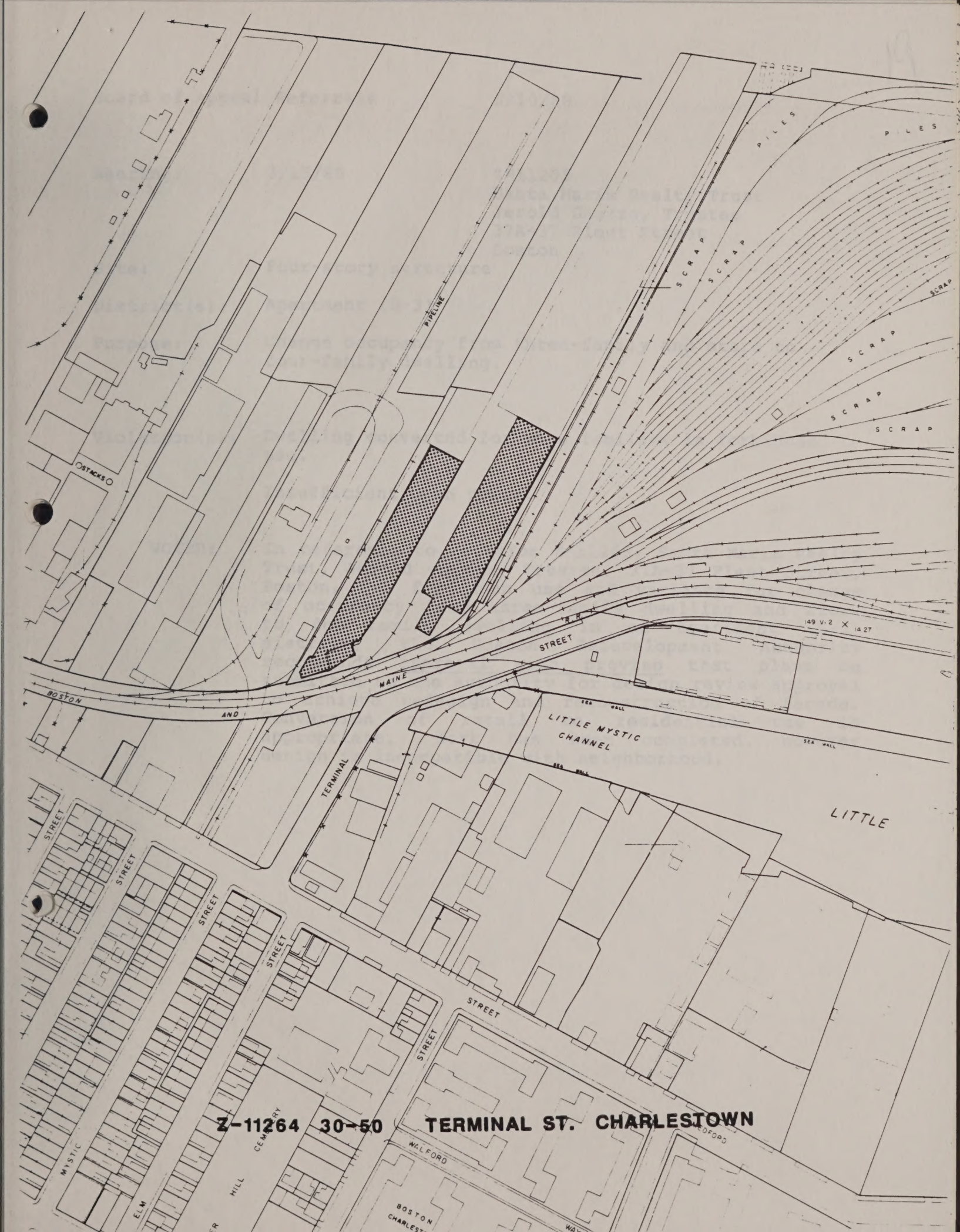
District(s): Waterfront (W-2)

Purpose: Change occupancy from storage to same, office space,
and light manufacturing.

Violation(s): Printing and binding, garment manufacturing, light
assembly of electronic components, and design and
fabrication of display materials are conditional
uses.

Interim Planning Overlay District.

VOTED: In reference to petition Z-11264, Charlestown
Commerce Center, 30-50 Terminal Street, Charlestown,
for conditional use for change of occupancy from
storage to same, office space, and light
manufacturing in a waterfront (W-2) district, the
Boston Redevelopment Authority recommends approval
of existing light manufacturing, office, and storage
uses as currently operating on site and the
Harborpark Interim Planning Overlay District. The
manufacturing uses provide needed jobs and mixed
use is appropriate for the area. This request
for legalization of existing uses has been reviewed
by the Harborpark Advisory Committee and the
Harborpark Zoning Subcommittee, which voted its
support of the application with the understanding
that future changes in occupancy of existing uses
will be subject to Board of Appeal review.



Z-11264 30-50

TERMINAL ST. CHARLESTOWN

Board of Appeal Referrals

3/10/88

19

Hearing: 3/15/88 Z-11265
Santa Maria Realty Trust
Jerold Gnazzo, Trustee
37A-37 Fleet Street
Boston

Site: Four-story structure

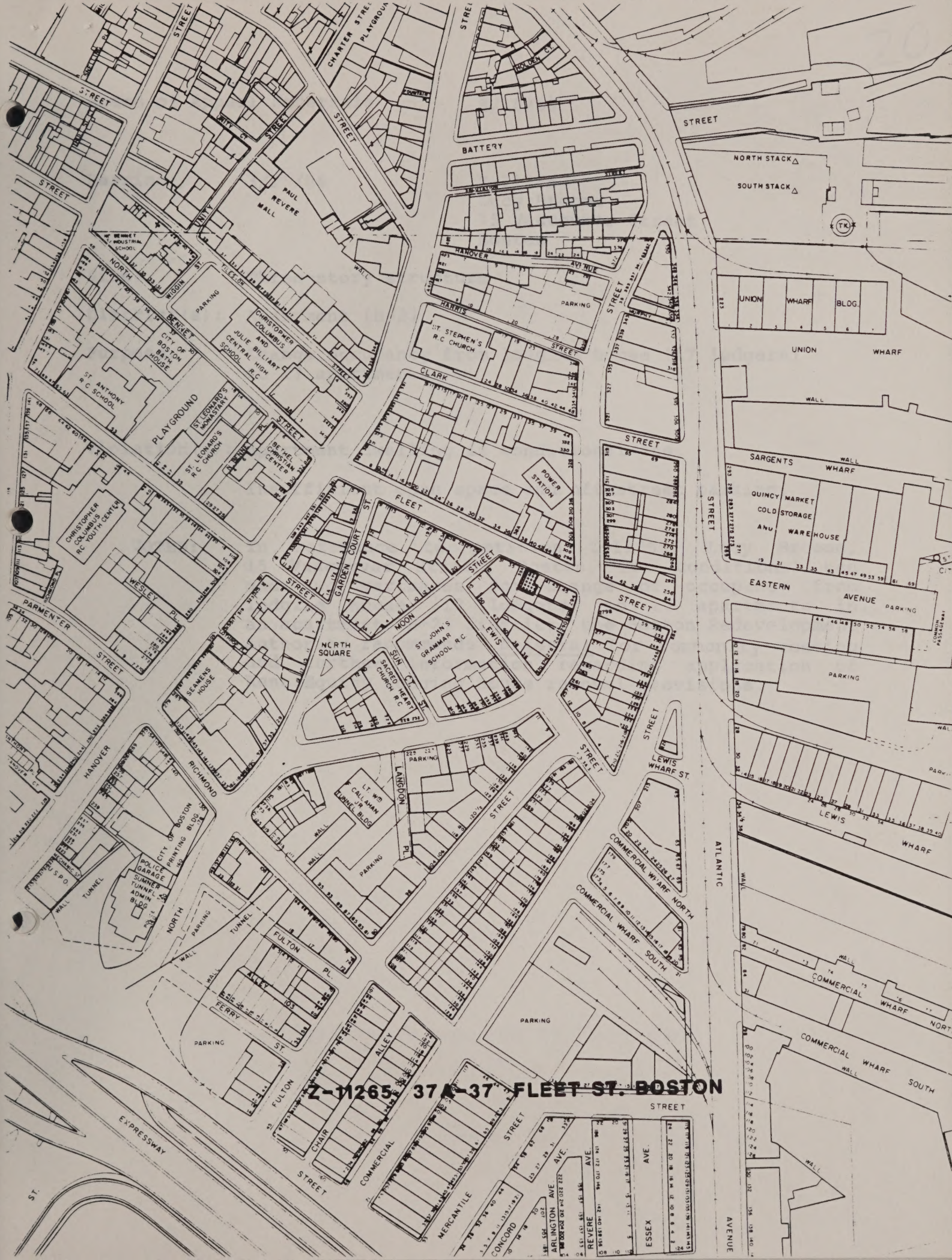
District(s): Apartment (H-3)

Purpose: Change occupancy from three-family and store to four-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient open space.

VOTED: In reference to petition Z-11265, Santa Maria Realty Trust, Jerold Gnazzo, Trustee, 37A-37 Fleet Street, Boston, for forbidden use and variance for change of occupancy from three-family dwelling and store to four-family dwelling in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval to achieve redesign and reconstruction of facade. Conversion of retail to residential use is appropriate. Work has been completed, however design is incompatible with neighborhood.



2-11265 37A-37 FLEET ST. BOSTON

Board of Appeal Referrals

3/10/88

Hearing: 3/15/88

Z-11266
Lucy Broome
15 Vancouver Street
Boston

Site: Three-story structure

District(s): Apartment (H-2)

Purpose: Change occupancy from lodging house (17 lodgers)
to 17 apartments.

Violation(s): Apartment dwelling is conditional use.

Insufficient open space and off-street parking.

VOTED: In reference to petition Z-11266, Lucy Broome, 15 Vancouver Street, Boston, for conditional use and two variances for change of occupancy from lodging house (17 lodgers) to 17 apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends deferral for community meeting and further information regarding application of Rent Equity lodging house removal provisions.

Z-11266 15 VANCOUVER ST. BOSTON



Board of Appeal Referrals

3/10/88

Hearing: 3/15/88

Z-11267
Nick Darides
98-100 Kenrick Street
Brighton

Site: 2½-Story structure

District(s): Residential, two-family (R-.5)

Purpose: Erect porch addition to two-family dwelling.

Violation(s): Insufficient side and rear yards.

VOTED: In reference to petition Z-11267, Nick Darides, 98-100 Kenrick Street, Brighton, for two variances to erect porch addition to two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Appellant has met with Luck Neighborhood Association and has received their support.



Z-11267 98-100 KENRICK ST. BRIGHTON

Board of Appeal Referrals

3/10/88

Hearing: 3/15/88

Z-11268
Luis Rodrigues
761-765 Dudley Street
Dorchester

Site: Two-story structure

District(s): General business (B-2)

Purpose: Change occupancy from offices, retail, and storage to four apartments, lounge, and furniture storage.

Violation(s): Insufficient open space.

VOTED: In reference to petition Z-11268, Luis Rodrigues, 761-765 Dudley Street, Dorchester, for variance for change of occupancy from offices, retail, and storage to four apartments, lounge, and furniture storage in a general business (B-2) district, the Boston Redevelopment Authority recommends approval. Existing condition. Similar petition approved by the Authority and Board of Appeal in 1982. Appellant failed to resume permit process at that time.



Z-11205 761-785 DUDLEY ST. DORCHESTER

NORTH
DORCHESTER
CEMETERY

Board of Appeal Referrals

3/10/88

Hearing: 3/15/88 Z-11269
Harvey Linder
23-25 Rosaria Street
Dorchester

Site: 2½-Story structure

District(s): Residential, two-family (R-.5)

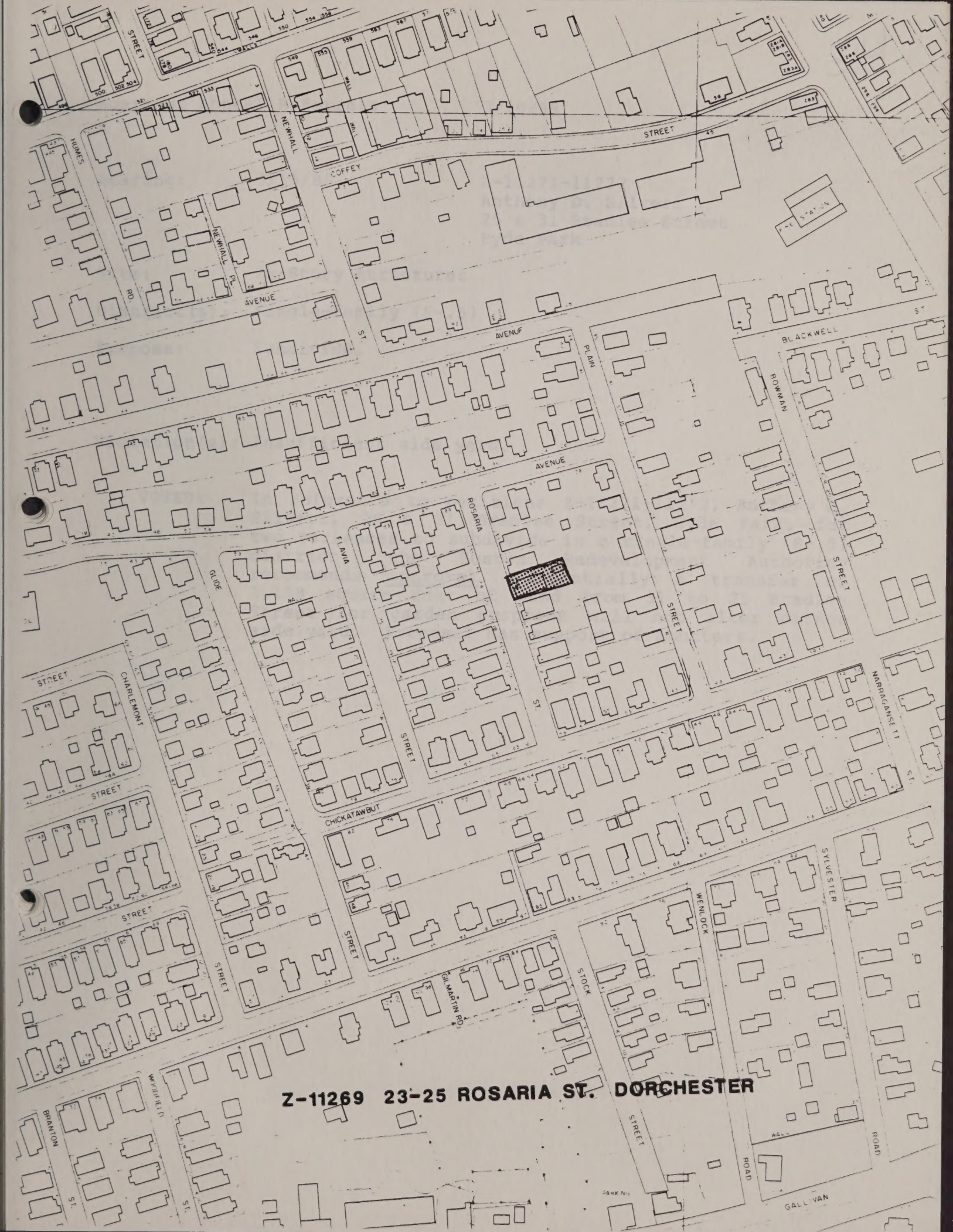
Purpose: Change occupancy from two- to three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area, width, frontage, open space,
and off-street parking.

Excessive floor area ratio.

VOTED: In reference to petition Z-11269, Harvey Linder, 23-25 Rosaria Street, Dorchester, for forbidden use and six variances for change of occupancy from two- to three-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Two-family dwellings predominate Rosaria Street. Three-family occupancy would create a negative precedent and exacerbate parking demand on street. Neighbors indicate strong opposition.



Z-11269 23-25 ROSARIA ST. DORCHESTER

Board of Appeal Referrals

3/10/88

Hearing: 3/15/88

Z-11271-11272
Anthony D. Silveri
25 & 31 Bradlee Street
Hyde Park

Site: 2½-Story structures

District(s): Single-family (S-.5)

Purpose: Subdivide.

Violation(s): Insufficient side yard.

VOTED: In reference to petitions Z-11271-11272, Anthony D. Silveri, 25 & 31 Bradlee Street, Hyde Park, for two variances to subdivide in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval. Essentially a transfer of 1,198 square feet of land from 31 to 25 Bradlee Street for garden purposes will not alter either side yard. Proposal has support of abutters.



Z-11271-72 25-31 BRADLEE ST. HYDE PARK

25

Board of Appeal Referrals

3/10/88

Hearing: 3/15/88

Z-11273
David Dixon
90 Appleton Street
Boston

Site:

District(s): Apartment (H-2)

Purpose: Change occupancy from one- to two-family dwelling.

Violation(s): Excessive floor area ratio.

VOTED: In reference to petition Z-11273, David Dixon, 90 Appleton Street, Boston, for variance for change of occupancy from one- to two-family dwelling in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval. Substantial interior renovations will enhance structure. The proposed construction for this project is designed to enlarge a presently existing unit that is at the present time partially inhabited. This project will be, upon completion located adjacent to a garden, creating an ideal combination of additional living space plus a source of rare open space. No added density. Appellant should review plans with Ellis Neighborhood Association.

Z-11273 90 APPLETON ST. BOSTON



Z-11273 90 APPLETON ST. BOSTON

Board of Appeal Referrals

3/10/88

Hearing: 3/15/88

Z-11275

South & Kneeland Association
158-168 Kneeland Street
Boston

Site: Six-story structure

District(s): Manufacturing (M-8)

Purpose: Erect one-story addition to office-retail structure.

Violation(s): Insufficient rear yard.

VOTED: In reference to petition Z-11275, South & Kneeland Association, 158-168 Kneeland Street, Boston, for variance to erect one-story addition to office-retail structure in a manufacturing (M-8) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. Appellant seeks to cover a lightwell measuring approximately 150 square feet and not visible from any public way. The Leather District Neighborhood Association has no opposition to this proposal.

Z-11275, 158-168 KNEELAND ST, BOSTON



Z-11275 158-168 KNEELAND ST. BOSTON

Board of Appeal Referrals

3/10/88

Hearing: 3/15/88

Z-11278

Hopa V. Knight, Trustee
36-40 Norfolk Street
Dorchester

Site: One-story structure

District(s): Local business (L-1)

Purpose: Change occupancy from beauty shop, liquor store, barber shop, and stores to beauty shop, liquor store, and take-out restaurant.

Violation(s): Take-out restaurant is conditional use.

VOTED: In reference to petition Z-11278, Hopa V. Knight, Trustee, 36-40 Norfolk Street, Dorchester, for conditional use for change of occupancy from beauty shop, liquor store, barber shop, and stores to beauty shop, liquor store, and take-out restaurant in a local business (L-1) district, the Boston Redevelopment Authority recommends approval with provisos: that plans with particular respect to hours of operation, seating capacity, and trash disposal be submitted to the Authority for design review approval; that appellant review plans with the Codman Square Neighborhood Council. Proposed take-out with associated parking is compatible with local business character and will contribute to revitalization of the area.



Z-11278 36-40 NORFOLK ST. DORCHESTER

Board of Appeal Referrals

3/10/88

Hearing: 3/22/88

Z-11280
Thomas S. Fassas
907 Beacon Street
Boston

Site: Three-story structure

District(s): Apartment (H-2)

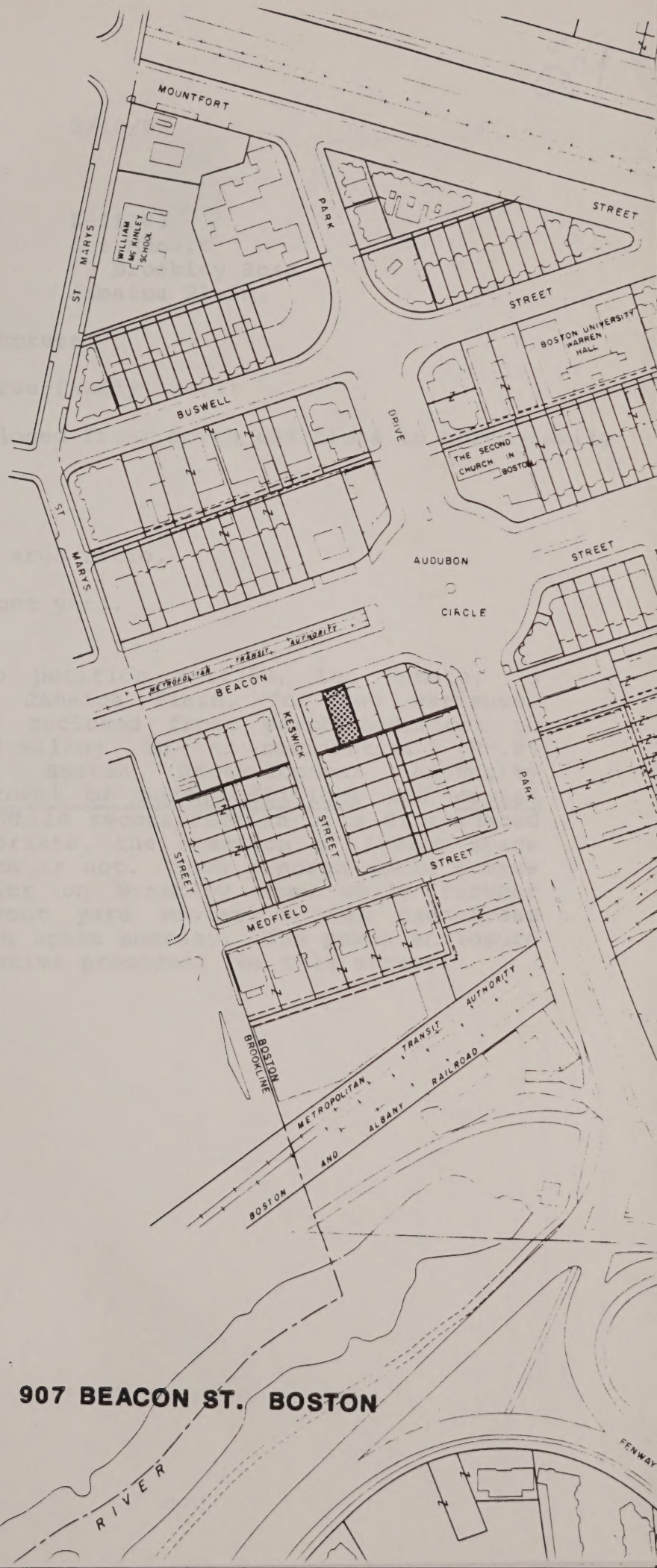
Purpose: Change occupancy from eight apartments to eight
apartments and office.

Violation(s): Office is forbidden use.

VOTED: In reference to petition Z-11280, Thomas S. Fassas,
907 Beacon Street, Boston, for forbidden use for
change of occupancy from eight apartments to eight
apartments and office in an apartment (H-2) district,
the Boston Redevelopment Authority recommends denial.
Office represents inappropriate commercial
encroachment and is an inappropriate use in this
predominantly residential block and area.

KLINE

Z-11280 907 BEACON ST. BOSTON



Board of Appeal Referrals

3/10/88

29

Hearing: 3/22/88 Z-11283
Leo Munafo
73 Brookley Road
Jamaica Plain

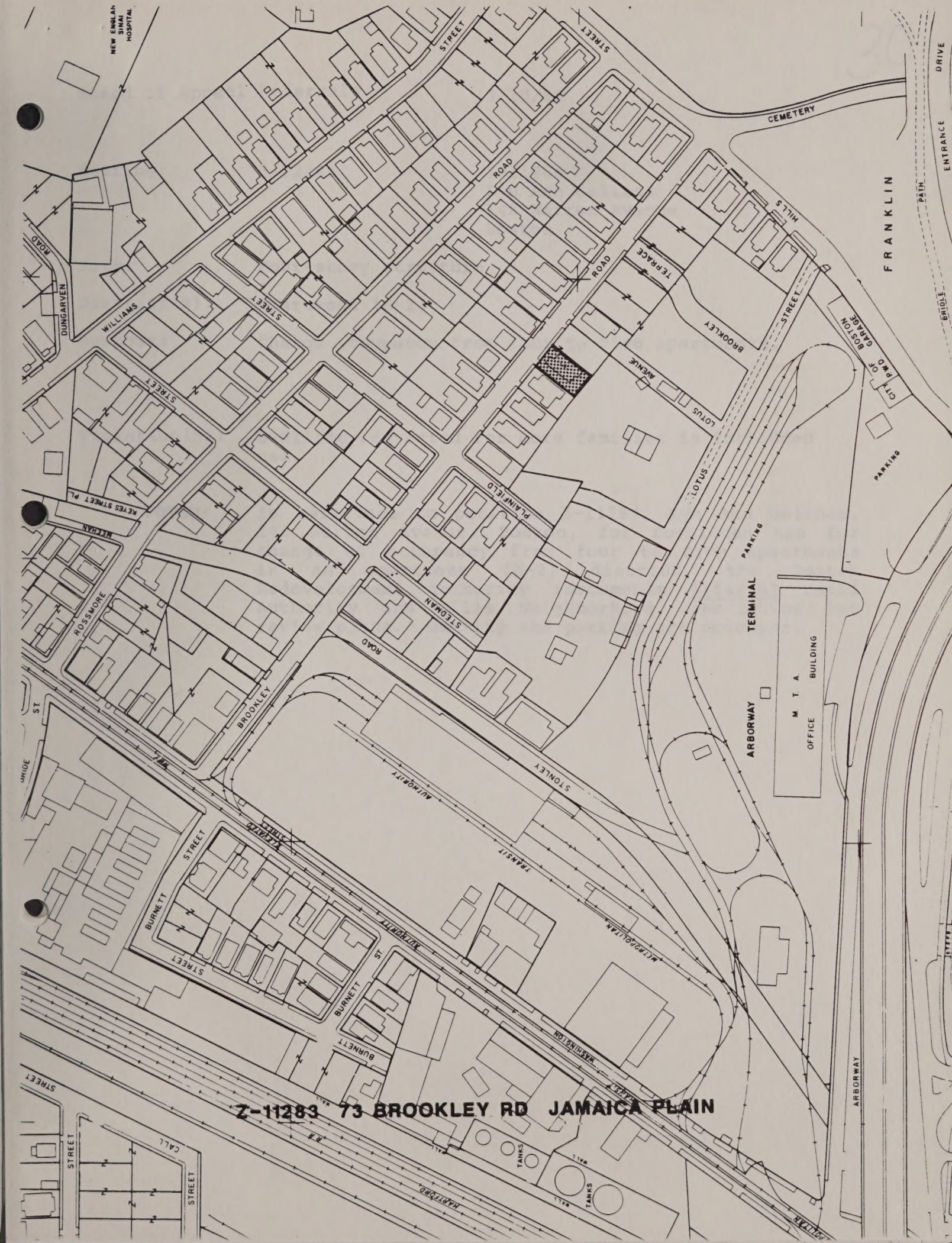
Site: Three-story structure

District(s): Residential, three-family (R-.8)

Purpose: Erect three enclosed front porch additions to three-family dwelling.

Violation(s): Excessive floor area ratio.
Insufficient front yard.

VOTED: In reference to petition Z-11283, Leo Munafo, 73 Brookley Road, Jamaica Plain, for two variances to erect three enclosed front porch additions to three-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval of porch additions and denial of enclosure. While reconstruction of a dilapidated porch is appropriate, the creation of living space in the new porch is not. Such a porch would create a visual barrier on Brookley Road while further exacerbating front yard violation. An unenclosed porch is an open space amenity. The porch enclosure would set a negative precedent for this street.



Z-11283 73 BROOKLEY RD JAMAICA PLAIN

Board of Appeal Referrals

3/10/88

30

Hearing: 3/22/88

Z-11284
Lyn Ann Gelinas
146 Warren Avenue
Boston

Site: Four-story structure

District(s): Apartment (H-2)

Purpose: Change occupancy from four to five apartments.

Violation(s): Dwelling converted for more families is forbidden use.

VOTED: In reference to petition Z-11284, Lyn Ann Gelinas, 146 Warren Avenue, Boston, for forbidden use for change of occupancy from four to five apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends deferral until Authority and Ellis Neighborhood Association can review plans. Density and parking are concerns.



Z-11284 146 WARREN AVE. BOSTON

Hearing: 3/22/88 Z-11285
Paul Lalinde
25 Johnswood Road
Roslindale

Site: 2½-Story structure

District(s): Residential, two-family (R-.5)

Purpose: Erect 10' x 80' retaining wall.

Violation(s): Insufficient rear yard.

VOTED: In reference to petition Z-11285, Paul Lalinde, 25 Johnswood Road, Roslindale, for variance to erect 10' x 80' retaining wall in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Proposed retaining wall will stop erosion of appellant's property as well as provide the necessary support for landscaping improvements. Proposed materials are consistent with existing landscaping on the site. The height of the proposed wall is not excessive for this site given the steep slope of the land and the constraints inflicted upon the appellant. Many of the houses along Johnswood Road have built retaining walls to prevent erosion. Rear abutter, the most visually impacted, is supportive of the request.



Z-11285 25 JOHNSWOOD RD. ROSLINDALE

Board of Appeal Referrals

3/10/88

Hearing: 3/22/88

Z-11288
Juan N. Cruz
26 Deering Road
Mattapan

Site: 3,514 Square feet of land

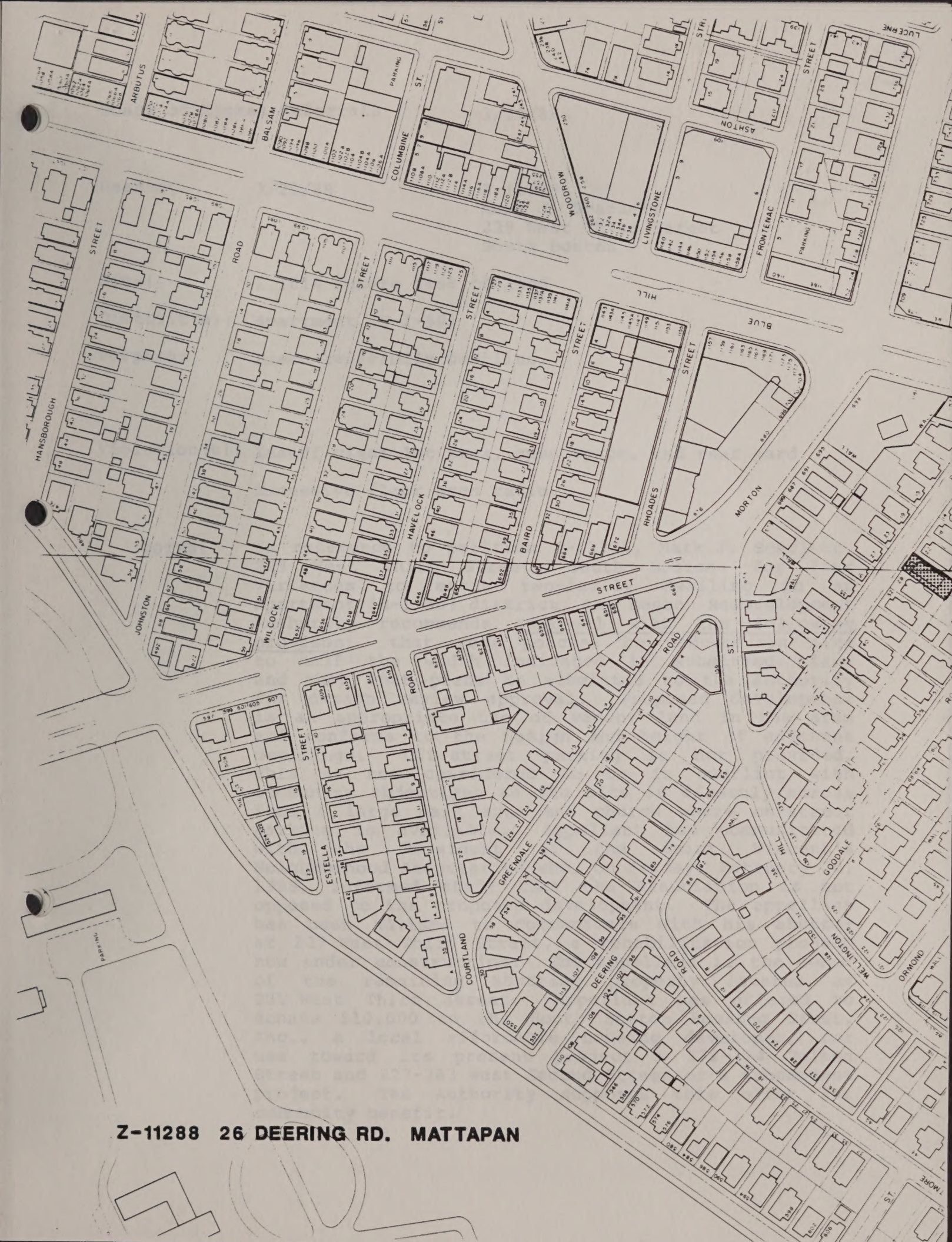
District(s): Residential, three-family (R-.8)

Purpose: Erect two-family dwelling.

Violation(s): Insufficient lot area, width, frontage, side, and rear yards.

VOTED: In reference to petition Z-11288, Juan N. Cruz, 26 Deering Road, Mattapan, for five variances to erect two-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial without prejudice. Design as submitted is incompatible in scale and architectural character with surrounding properties. Plans are insufficient.

Z-11288 26 DEERING RD. MATTAPAN



Board of Appeal Referrals

3/10/88

Hearing: 3/22/88 Z-11289
Mark J. Scarlett
229 West Third Street
South Boston

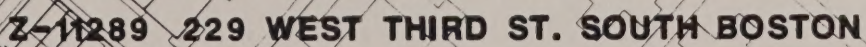
Site: 1,1014 Square feet of land

District(s): Apartment (H-1-50)

Purpose: Erect two-family dwelling.

Violation(s): Insufficient lot area, open space, and rear yard.
Excessive floor area ratio.

VOTED: In reference to petition Z-11289, Mark J. Scarlett, 229 West Third Street, South Boston, for four variances to erect two-family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval with the following provisos: that rear porches be reduced in size to half the width indicated in submitted plans and that that plans be submitted to the Authority for design review approval. Proposed development is an appropriate use of vacant land in the area and conforms to the design and height of adjacent dwellings. Off-street parking is not provided. This is not considered to be in conflict with community objectives as the site is directly across from a large park area and church where on-street parking is available. Appellant has communicated with the President of the Saint Vincent's Neighborhood Association who, on Friday, February 26, 1988, informed staff that the Association is not opposed to the proposed development. The appellant has been advised to communicate with his abutter at 227 West Third Street, a rehabilitation project now under construction. The appellant is the owner of the remaining abutting property located at 231 West Third Street. Appellant has offered to donate \$10,000 to the South Boston Housing Trust, Inc., a local affordable housing developer, for use toward its present project a 172-174 Bolton Street and 227-283 West Second Street or a subsequent project. The Authority supports this offer for community benefit.



Hearing: 3/22/88 Z-11291
Alexander Lempicki
116-118H Dorchester Street
South Boston

Site: Three-story structure

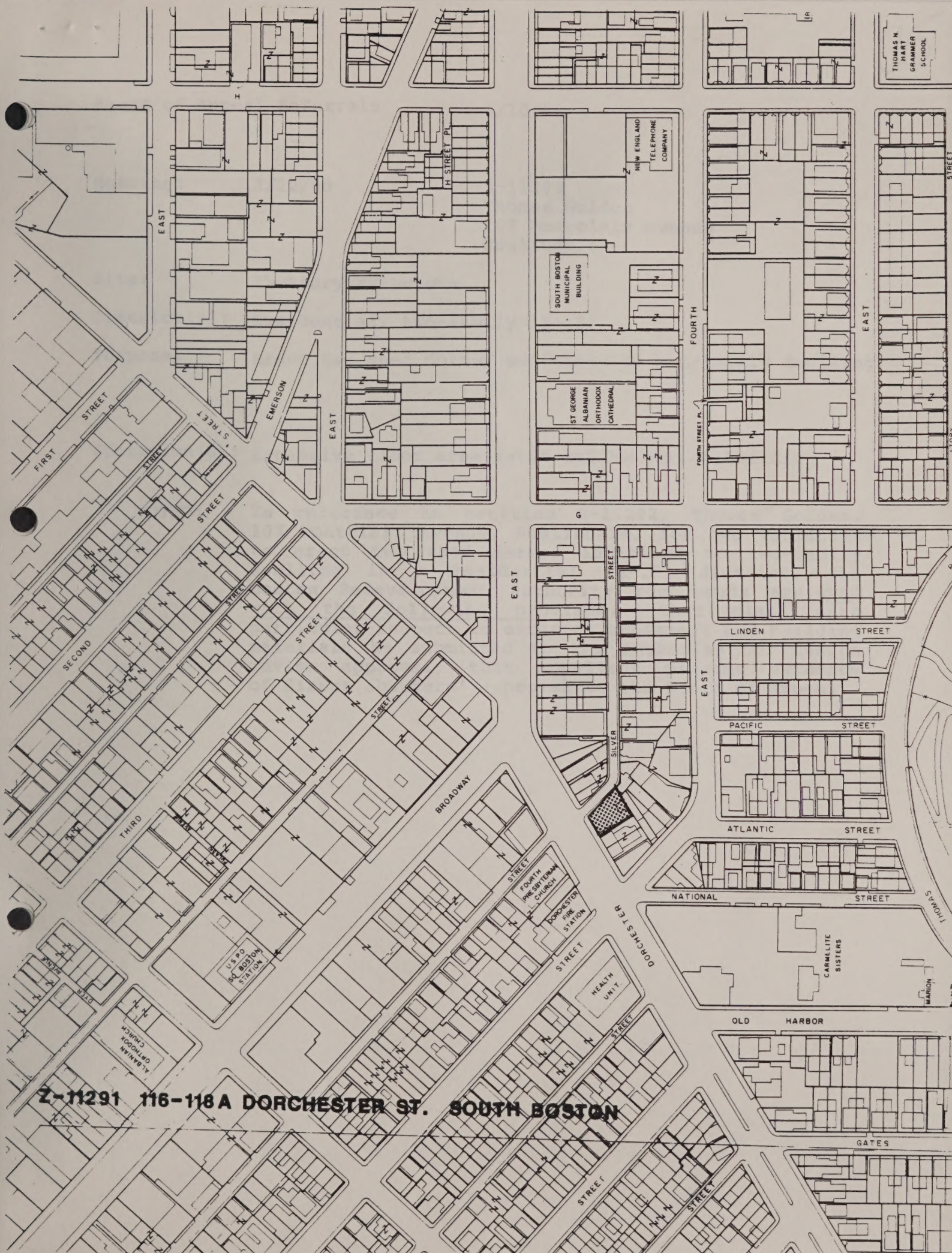
District(s): Local business (L-1)

Purpose: Change occupancy from four apartments and two stores to six apartments, two offices, and beauty parlor.

Violation(s): Insufficient lot area and open space.

Excessive floor area ratio.

VOTED: In reference to petition Z-11291, Alexander Lempicki, 116-118H Dorchester Street, South Boston, for three variances for change of occupancy from four apartments and two stores to six apartments, two offices, and beauty parlor in a local business (L-1) district, the Boston Redevelopment Authority recommends deferral. The building as presently occupied contains a beauty shop, a real estate office, and six apartments. The appellant proposes to use existing office space in the basement of the building as a separate office and to legalize the six existing residential units. Presently, two of the six apartments are vacant and there are rent equity decontrol certificates for four apartments. The building is located in Perkins Square where there is a tremendous traffic problem. Renovations to the existing buildings and new residential construction have provided new local business opportunities and increased the traffic congestion in this area to the point where any increase in occupancy, commercial or residential, must provide off-street parking. Presently, Perkins Square is double and triple parked from 8:00 a.m. to 7:00 p.m. daily, causing traffic flow through this central square to back up and block the side streets. Serious concerns have been raised about the continued revitalization of this area and any new proposals must address the traffic problem.



Z-11291 116-118 A DORCHESTER ST. SOUTH BOSTON

Board of Appeal Referrals

3/10/88

Hearing: 3/22/88 Z-11292
Thomas Golden
107 Montclair Avenue
Roslindale

Site: 2½-Story structure

District(s): Residential, two-family (R-.5)

Purpose: Erect two shed dormer additions to two-family dwelling.

Violation(s): Excessive floor area ratio and height of building.

VOTED: In reference to petition Z-11292, Thomas Golden, 107 Montclair Avenue, Roslindale, for two variances to erect two shed dormer additions to two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that plans with particular respect to exterior treatment and building materials be submitted to the Authority for design review approval; that appellant present evidence of direct abutters' approval to the Board of Appeal.



Z-11292 107 MONTCLAIR AVE. ROSLINDALE

Board of Appeal Referrals

3/10/88

Hearing: 3/22/88 Z-11293
187-179 North Street Realty Trust
187-189 North Street
Boston

Site: Five-story structure

District(s): Local business (L-2)

Purpose: Legalize penthouse of ten-unit apartment structure.

Violation(s): Excessive floor area ratio.

VOTED: In reference to petition Z-11293, 187-189 North Street Realty Trust, 187-189 North Street, Boston, for variance to legalize penthouse of ten-unit apartment structure in a local business (L-2) district, the Boston Redevelopment Authority recommends denial. In May, 1983, the Authority recommended denial of a roof addition to this building. However, Board of Appeal granted approval with design review proviso. Petitioner proceeded to erect illegal penthouse addition in addition to roof addition approved by Board of Appeal. This excessive and inappropriate penthouse construction is highly visible in a sensitive location near the Paul Revere House and should be taken down. Previous attempt to legalize addition in 1984 was denied by Board of Appeal.



Z-11293 187-189 NORTH ST. BOSTON

Board of Appeal Referrals

3/10/88

37

Hearing: 3/15/88 Z-11315
Pipefitters Association, Inc.
40 Enterprise Street
Dorchester

Site: One-story structure

District(s): Industrial (I-2)

Purpose: ERECT one-story side addition to training school structure.

Violation(s): Extension of nonconforming use.
Insufficient rear yard.

VOTED: In reference to petition Z-11315, Pipefitters Association, Inc., 40 Enterprise Street, Dorchester, for extension of nonconforming use and variance to erect one-story side addition to training school structure in an industrial (I-2) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. Expansion of apprentice training school for new welding shops. Plans have been reviewed with abutters and community persons. Proposal has neighborhood support.

Z-11315 40 ENTERPRISE ST. DORCHESTER



Z-11315 40 ENTERPRISE ST. DORCHESTER

*Amended to
approval*

38

Board of Appeal Referrals - 3/10/88

Z-11103 & Z-11107-11108
St. James Estates Development
Corporation
66 - 70 St. James Street
Roxbury, MA

Hearing 3/29/88

Site: Vacant Land

District(s): Retail Business and Offices B-1

Purpose: Erect twenty-two (22) unit apartment structure with
thirty-nine (39) parking spaces.

Violations(s): Off-street parking is not allowed within the front
nor within five feet of side lot line.

Insufficient front yard and rear yard.

Interim Planning Overlay District.

VOTED:

In reference to Petition Z-11103 & Z-11107-11108,
St. James Estates Development Corporation, 66 - 70 St.
James Street, Roxbury, for three (3) zoning
variances in an B-1 business district, the
Boston Redevelopment Authority recommends
deferral. *approval*

In order for the requirements of Article 27 to be
satisfied, on December 15, 1987, the developer made
a formal presentation to the members of the Roxbury
Planning and Zoning Advisory Committee (PZAC) which
was formed under the Roxbury Neighborhood Council
(RNC). On January 12, 1988 the RNC made a recommen-
dation of deferral. Though they did not object to
the variances, they decided that they could not make
a decision on the petition until an overall development
plan for Roxbury has been approved by the community.

In an effort to obtain community support for the
development, St. James Estates Development Corporation
has met with the Lower St. James Neighborhood Asso-
ciation and has received its support for the project.

Z-11103 & 11107-11108 66-70 ST. JAMES ST. ROXBURY

